IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.377 OF 2004
IN
INCOME TAX APPEAL (L) NO.133 OF 2004

AND

NOTICE OF MOTION NO.379 OF 2004
IN
INCOME TAX APPEAL (L) NO.134 OF 2004

AND

NOTICE OF MOTION NO.423 OF 2004
IN
INCOME TAX APPEAL (L) NO.142 OF 2004

The Director of Income Tax(E) ..Appellants
Vs.
M/s.Taparia Foundation ..Respondents

Mr.R.K.Sharma for the Appellants.
Ms.Vasanti Patel for the Respondents.

CORAM :- DR.S.RADHAKRISHNAN &
V.C.DAGA, JJ.
DATE : 24TH APRIL, 2007

P.C.

. Heard the learned Counsel for the parties. By way of the present Notices of Motion, the Appellants are seeking condonation of delay in filing the above Appeals. Perused the Notices of Motion and the affidavits in support thereof. The only bereft reasons have been given stating that the department was undergoing the work of major restructuring. The learned Counsel for the Appellants fairly concedes that the restructuring work took place in the year 2001 and the present Appeals have been lodged in February,2004 . On the last occasion also, we had

granted time to file a better affidavit justifying the condonation. Even till today, no better affidavits have been filed. Hence, we dismiss the Notices of Motion.

(V.C.DAGA,J.) **(DR.S.RADHAKRISHNAN,J.)**